

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF WISCONSIN**

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**REBECCA TERRY,**

**Plaintiff,**

**Case No. 17-CV-1112**

**v.**

**COUNTY OF MILWAUKEE, et al.,**

**Defendants.**

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**COUNTY DEFENDANTS' MOTION FOR LEAVE TO FILE ADDITIONAL PROPOSED  
FINDINGS OF FACT AND AN OVERSIZED BRIEF**

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Defendants Milwaukee County, Richard Schmidt, Brian Wenzel, Carolyn Exum Morgan Bevenue and Margaret Hoover (hereinafter "County Defendants"), by their attorneys, Leib Knott Gaynor LLC, hereby move the Court to allow them to file additional proposed findings of fact and an oversized brief in support of their motion for summary judgment. In support of this motion, County Defendants submit the following:

1. On June 14, 2018, Plaintiff filed an Amended Complaint (ECF Doc. No. 129) in accordance with the Court's June 4, 2018 Order (ECF Doc. No. 127) granting the respective motions for judgment on the pleadings of Defendant Armor and the County Defendants.
2. Plaintiff filed her Amended Complaint on June 14, 2018. See ECF Doc. No. 129.
3. On June 26, 2018, the County Defendants filed their Answer and Affirmative Defenses to Plaintiff's Amended Complaint. See ECF Doc. No. 141.
4. On July 2, 2018, this Court issued a Second Amended Trial Scheduling Order setting a deadline for dispositive motions on August 31, 2018. See ECF Doc. No. 148.

5. Local Rule 56(b)(1)(C)(ii) states “a moving party may not file more than 150 separately numbered statements of fact.”

6. Due to the number of claims made and Defendants named in the Amended Complaint, the paragraphs contained in the County Defendants’ Proposed Findings of Fact exceed 150. The County Defendants therefore request leave of the Court to exceed the paragraph limitation.

7. Local Rule 56(b)(8)(A) states that the page limit for a memorandum in support of motion for summary judgment is thirty (30) pages.

8. Due to the number of claims made and Defendants named in the Amended Complaint, the County Defendants’ Brief in Support of Summary Judgment exceeds 30 pages. The County Defendants therefore request leave of the Court to exceed the page limitation.

9. Plaintiff’s Amended Complaint contains four (4) counts, ninety-two (92) paragraphs, and allegations against six (6) County Defendants.

10. Throughout the discovery process, the County Defendants have produced 19,966 pages of documents, Plaintiff has produced 22,215 pages of documents and Defendant Armor has produced 2,687 pages of documents, and a total of twenty-two (22) depositions have taken place.

11. Each of the claims against the County Defendants are distinct and require significant analysis in order to adequately present the facts and law.

12. Good cause exists for extending the limitations on both the proposed findings of fact and the number of pages contained in the memorandum in support of motion for summary judgment.

13. Rather than file separate dispositive motions on behalf of each party and/or each claim, the County Defendants have filed a single Proposed Findings of Fact and Motion for

Summary Judgment. The County Defendants have made their best effort to keep the dispositive motion concise given the breadth of material covered.

14. Counsel certifies pursuant to Local Rule 7(a)(2) that no papers or affidavits will be filed in support of this motion.

WHEREFORE, the County Defendants respectfully request the Court to grant their motion for leave to file additional proposed findings of fact and an oversized brief in support of Defendants' motion for summary judgment.

Respectfully submitted,

**LEIB KNOTT GAYNOR LLC**

Dated: August 27, 2018

By: /s/ Douglas S. Knott

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